

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN

OPERATING ENGINEERS
LOCAL 324 PENSION FUND et al.,

Plaintiffs,

CIVIL ACTION NO. 04-75085
HON. PAUL D. BORMAN

M.V.A. CONTRACTING and
GREGGORY PETERSON,

Defendants

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ORDER OF REMOVAL OF ACTION AS A PENDING MATTER

The court, having been informed that defendants have filed Bankruptcy, thereby commencing a stay of proceedings in this civil action pursuant to 11 U.S.C. § 362(a)(1); and it further appearing to the Court that such a stay will remain in effect for a substantial period of time; and there existing a possibility that at the close of such stay this matter will be either voluntarily dismissed by the parties or abandoned by the parties without notice to this court; and there appearing to be no further reason at this time to maintain the file as an open one for statistical purposes;

IT IS ORDERED that the Clerk close this matter for statistical purposes. Nothing contained in this order or the related docket entry shall be considered a dismissal or disposition of this matter, and, should further proceedings become necessary or desirable, any party may initiate them upon termination of the stay of proceedings in the same manner as if this order had not been entered and the court will order that the matter

be reopened for statistical purposes.

s/Paul D. Borman
PAUL D. BORMAN
UNITED STATES DISTRICT JUDGE

Dated: July 18, 2006

CERTIFICATE OF SERVICE

Copies of this Order were served on the attorneys of record by electronic means or U.S. Mail on July 18, 2006.

s/Denise Goodine

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Case Manager